

ORDINANCE
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**AN ORDINANCE OF THE TOWN OF FARRAGUT, TENNESSEE AMENDING
FARRAGUT MUNICIPAL CODE CHAPTER 8, BUSINESSES, by adding ARTICLE 3,
MOBILE FOOD VENDING PERMIT**

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend the Farragut Municipal Code, Chapter 8, by adding Article 3, Mobile Food Vending Permit.

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, that the Farragut Municipal Code is hereby amended by adding Article 3, Mobile Food Vending Permit in its entirety as follows:

SECTION 1.

Farragut Municipal Code, Chapter 8

Sec. 8-60. Purpose.

It is the purpose of this chapter to protect the public health, safety and general welfare of individuals and the community at large, to establish uniform regulations for the operation of mobile food vehicles.

Sec. 8-61 Administration

The Town Administrator, or their designee, shall have the authority to administer the regulations of this chapter.

Sec. 8-62. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (1) *Canteen truck* means any vehicle that operates to provide food service to workers at locations where food is otherwise unavailable, from which vendors sell food that requires no on-site preparation or assembly, other than the heating of pre-cooked foods.
- (2) *Ice cream truck* means a vehicle from which the operator sells only pre-packaged frozen dairy or water-based food products and pre-packaged beverages. For purposes of this article, a non-motorized cart from which such products are sold shall be considered an ice cream truck.

- (3) *Mobile food owner or vendor* means any person or entity selling food or drinks from a mobile vehicle, including, but not limited to a food truck, trailer, pushcart, or ice cream truck.
- (4) *Mobile food vehicle or food truck* means an enclosed unit, truck, or trailer that is roadworthy, has a valid motor vehicle title and registration, and has a license that is properly displayed and from which food is prepared, cooked, assembled, or stored with the intent to sell such food to the public.
- (5) *Mobile food vending permit* means a permit granted by the Town of Farragut for the operation of a mobile food vehicle, pushcart, canteen vehicles and ice cream vehicles.
- (6) *Pushcart* means any wheeled vehicle or device which may be moved without the assistance of a motor and from which food is prepared, cooked, assembled, or stored, with the intent to sell such food to the public. A mobile food vending permit is required, and pushcarts shall not operate within the street right-of-way where licensed motor vehicles operate.
- (7) *Special event* (as defined in the Town of Farragut Zoning Ordinance) may include a wide range of activities such as, but not limited to, a grand opening, sidewalk sale, fund raiser, yard sale, vacation bible school, holiday pageant or program, etc.
- (8) *Special event permit* means any permit approved by the Town of Farragut authorizing the holding of a special event as defined here within.

Sec. 8-63. Mobile food vending permits.

- (1) Required. Prior to operating a mobile food vehicle as defined in this chapter, operators shall obtain a mobile food vending permit from the Town of Farragut. A mobile food vending permit shall only be granted after a mobile food vending permit application has been approved by the Town of Farragut Fire Marshal, or their designee.
- (2) The permitting process shall be required for each individual mobile food vehicle that is to operate within the Town of Farragut. Mobile food vending permits are non-transferrable. The mobile food vending permit must be prominently displayed when the mobile food service vehicle is in operation.
- (3) Application. The vendor shall submit a mobile food vending permit application containing the following along with the applicable fees in the Town of Farragut Fee Schedule:
 - a. Name of applicant/vendor.
 - b. A valid government issued ID, for the business owner or the owner of the mobile food vehicle.
 - c. Complete permanent home address and business address of the applicant.
 - d. A brief description of the nature of the business and the goods to be sold.
 - e. A copy of the state or county health department license or permit applicable to mobile food providers.
 - f. A copy of proof of liability insurance, if applicable, as referenced in Sec. 8-64.

- g. Other cities or towns, if any, where within the past 12 months the applicant conducted business immediately preceding the date of application.
- (4) *Issuance.* A mobile food vending permit shall be issued upon verification that an application has been completed in accordance with the requirements of this section and inspection by the Town of Farragut Fire Marshal.
- (5) *Expiration.* Permits are valid for one (1) year. All mobile food vending permits shall expire on the date of issuance of each year, or on such alternate date as may be set by the Town Administrator, or their designee. A mobile food vending permit may be renewed for the next 12-month period, provided that all applicable requirements are met, and the permit is not currently suspended or has not been revoked within the preceding 12 months. The fee for renewal shall be the same as the application fee for a new mobile food vending permit.
- (6) It shall be a violation to engage in mobile food vending in the Town of Farragut, whether on public or private property without a mobile food vending permit.

Sec. 8-64. Mobile food vending—When allowed.

- (1) Allowed through the Special Event Permitting process as referenced in Appendix A-Zoning, Chapter 4, Sec. XXIV. Special events permit.
- (2) Allowed at Town of Farragut Events, Town of Farragut Co-Sponsored events, as authorized by the Town of Farragut Parks and Recreation Department.
- (3) Allowed at Town of Farragut public parks during tournaments or camps, as authorized by the Town of Farragut Parks and Recreation Department through the Tournament and Camp Application process.
- (4) Allowed during rentals of public park facilities as authorized by the Town of Farragut Parks and Recreation Department through the Facility Rental process.
- (5) Allowed within the building envelope at 11321 Kingston Pike.

See the adopted Town of Farragut Fee Schedule for any applicable fees associated with the above uses.

Sec. 8-65. Mobile food vending in Town of Farragut public parks.

- (1) Operate only within the designated area at approved park properties.
- (2) Vendors shall not provide or allow any dining facilities, including but not limited to tables, chairs, booths, bar stools, benches, tents, and standup counters.
- (3) Mobile food vehicles and all associated equipment must be removed from the park at the end of each day. The mobile food vehicles and any equipment are not permitted in the park overnight at any time.
- (4) Mobile food vehicles shall provide a trash receptacle for the collection of vendor waste material. Trash collected or generated by mobile food vehicles shall not be placed or disposed of in a park or park facility trash receptacle. Vendors shall remove all trash and litter from park grounds within 50 feet of their mobile food vehicles. Recycling is

encouraged and must also be removed from park property at the responsibility of the mobile food vendor.

- (5) Any power and electrical required for operations shall be self-contained and vendors are prohibited from using utilities drawn from the park property unless specifically authorized in writing by the Town of Farragut Parks and Recreation Department.
- (6) A mobile food vehicle owner shall maintain liability insurance policy in the amount of \$1,000,000 issued by an insurance company licensed to do business in Tennessee, protecting the mobile food vehicle vendor, the public and the town from all claims for damage to property and bodily injury, including death, which may arise from operation under or about the permit. The insurance shall also name the town as an additional insured and shall provide that the policy shall not terminate or be canceled prior to the expiration date without 30 days' advanced written notice to the town. Failure to maintain the required insurance coverage is grounds for vending license revocation.

Sec. 8-66. Compliance with fire and public safety regulations.

- (1) Any mobile food vendor operating a mobile food vehicle in the Town of Farragut shall comply with requirements of the International Fire Code as adopted by the Town of Farragut, any other regulatory fire code as adopted by the Town of Farragut, and any additional rules and regulations adopted by the Town of Farragut, for the operation of mobile food vehicles. Prior to the issuance of a mobile food vending permit, mobile food vehicles shall be subject to inspection by the Town of Farragut Fire Marshal.

Sec. 8-67. Mechanism for complaints—Suspension or revocation.

- (1) Should the Town of Farragut observe a mobile food vendor in violation of this chapter and including, but not limited to the following reasons:
 - a. The licensed vendor or operator engaged in conduct of character that was misleading, deceptive, or fraudulent.
 - b. The licensed vendor or operator engaged in untruthful or deceptive advertising.
 - c. The licensed vendor or operator engaged in conduct detrimental to the health of park patrons, including but not limited to intimidation, or verbal, physical and/or sexual assault.
 - d. The licensed vendor or operator failed to maintain or acquire any permits required by this chapter.
 - e. The licensed vendor or operator engaged in business activities which have not been approved by the Town of Farragut.

The Town Administrator, or their designee, has the discretion to suspend or revoke a mobile food vending permit when a mobile food vendor and/or owner are found in violation of this chapter.

Sec. 8-68. Appeals.

- (1) Mobile food owners and vendors who have had their mobile food vending permit suspended or revoked, may file a request for appeal with the Town Administrator, or their designee, requesting an appearance before the Town of Farragut Board of Mayor and Aldermen to request reinstatement of their mobile food vending permit. Such a request shall provide a thorough justification of the request. Requests for appeals shall be scheduled within 45 days of receipt.

SECTION 2.

This ordinance shall take effect from and after its final passage and publication, the public welfare requiring it.

Ron Williams, Mayor

Allison Myers, Town Recorder